

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:	SHANNON FORREST,)	
)	Case No. 13-12624
)	Chapter 13
)	
	SHANNON FORREST,)	
)	
	Plaintiff,)	
vs.)	
)	Adv. No.
)	
	OKLAHOMA STATE REGENTS)	
	OF HIGHER EDUCATION,)	
	Defendant.)	

COMPLAINT

COMES NOW the Plaintiff, and complaining of the Defendant, states as follows:

JURISDICTION

This is a Complaint requesting discharge of a student loan, as defined at 11 U.S.C. § 523(a)(8). This Court has jurisdiction pursuant to 28 U.S.C. Section 1334.

CLAIM FOR RELIEF

COMES NOW the Plaintiff, and for his Claim for Relief, states as follows:

1. Creditor Defendant in this proceeding is believed to be the holder and owner of a student loan debt, in the amount of \$4,359.00. Except as determined by the Court in this proceeding, the debt would not be dischargeable;
2. The student loan is appropriately discharged in that repayment of part or all of the student loan would create and impose an undue hardship on the Debtor, pursuant to 11 U.S.C. § 523(a)(8);

3. For several years the Debtor has suffered from AIDS and Scoliosis;

4. As a result the disabling effect, his only income has been as a part time desk clerk.

Although Mr Forrest has had a year of college and had management positions in restaurant industry, his disease and condition has required him to accept lesser and lesser jobs until his current income would not allow for survival, except for the ability to live where he works;

5. It is apparent from Schedule J that the Debtor has taken a very conservative view of his monthly expenses. Even a modest error or unexpected expense would cause his expenses to exceed his income;

6. Mr. Forrest condition and illness is expected to continue to become more and more disabling, so that improvement to the point of being able to obtain employment is highly unlikely;

7. Mr. Forrest has made no payment on the student loans for a significant period. That is because he is unable to make any payment. It is very unlikely his ability to pay will increase in the foreseeable future;

8. Under the circumstances, the student loan indebtedness should be discharged.

WHEREFORE, it is requested that judgment should be granted discharging the debt, and for such other and further relief as this Court deems just.

/s/ James S. Matthews, Jr.
JAMES S. MATTHEWS, JR. OBA # 5784
3524 Northwest 50th Street
Oklahoma City, Oklahoma 73112
405/946-2811 Office 405/946-2859 Fax
EMAIL: jmatthewsjratty@cox.net
ATTORNEY FOR DEBTOR